App. F. IX-4

B.432

Previous References.

1944-45 (S.D.) A

File No. 281-44

Serial Nos. 2, 3, 4

Later References.

PRESERVED

P.14 (KLE)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. two

Part B for Nov-45

SUBJECT

Payment of T.A & D.A to patels & Shanbhogs for attending Courts.

Notes :- p1-10
Corr :- p1-3

To. The D.P.S in Mysore.

S.D. 3384/ 29.11.45

Nagaraj. Sharma Rao
20.12.45

C. F. 74.]

Routine Notes.

WD 07111—GPB—50,000—29-7-44

[To be used only for notes, requisitions, etc., not intended for permanent record.]

A 281-44-1

1) Draft letter to DSAO for issue of a copy of the above for his remarks is enclosed.

25/6.

2) Issued.

25/6

To ME Dy. No. 75

SD 8204/A281-Secn 2 dt 25.6.45.

A copy of the above for favour of his remarks

Sec A

26/6

P.T.

N.B.— *Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

Re: Grant of T.A. & D.A. to Patels and Shanbhogs attending Courts.

General and Revenue Secretariat | File No. A 29 of 1944. | [App. F. III–2

Serial No.

Letter no. C.1–5824/44-45 dated the 12th July, 1945, from the Director of Food Supplies furnishing his opinion on the matter.

3) At the Conference of the Shanbhogs of Davanagere Taluk held on 12.5.1945 a resolution was passed requesting the Government to pay railway fare (to and fro) and daily allowance to the Patels and Shanbhogs who attend the Courts in connection with food and other cases.

4) The Director of Food Supplies whose remarks were called for in the matter has expressed that when the Patels and Shanbhogs appear in Food cases on behalf of Government, they may be paid T.A. and D.A. at the rates fixed by the Court and sanctioned by Government if they have to travel outside their Talukes.

5) Articles 534 - 536 of the M.S.R. deal with the rules relating to T.A. and other allowances to officers summoned to give evidence

NOTE—Contn. Sheet.

Re: Grant of T.A. and D.A. to Patels and

File No. 421 of 194 | General and Revenue Secretariat

Serial No.

in criminal cases and also in "Civil cases" to which Government is a party, [and in departmental enquiries held by Properly Constituted authorities.] In such cases officers are permitted to draw travelling allowance under the rules for "journeys on tour." In other cases they are entitled to allowances admissible by the rules of the Court.

The "exception" under Art. 243 - M.S.R. reads as follows:--

"Shanbhogs, Patels and other village servants are not entitled to pension although they are paid from the General Revenues."

The Patels and Shanbhogs are primarily Village Servants. As the proposed exception is of a general nature the Revenue Commissioner may be requested to furnish his views in the first instance. Subject.

8) In view of A the matter may be forwarded. Considered in the 2/8 Q. Rev. Branch.

Dep. Secy) MSS 3/8/45.

9) Agreed.

Under Sec. (Rev) MSS 7/8/45.

N.C.

R698

GEN. & R. 21 AUG. 1945

Ans N.S

Grant of T.A and D.A to Patels and Shanbhogs for attending Courts 1997/48 G.S. 4

General and Revenue Secretariat | LR File No. 118 of 194 5 | [App. F. III–2

Serial No.	
	(10) Submitted for orders as to whether the Rev. Comm'r may be consulted (un-officially) in the matter referred (paras 1-9) of the note.
	20.8.45. (11) These papers relate to the grant of D.A. to Patels & Shanbhogs attending Courts to give evidence in criminal Courts in food and other cases. The question is then considered in the papers in the Courts Section & the Govt. Order in force & the previous Orders A ... 24/8
	(12) Protection Branch (Courts Section) to kindly put up the connected papers and the previous Orders on the subject of grant of T.A and D.A to Patels and Shanbhogs attending Courts to give evidence in Criminal Courts in food and other Cases. ... Prot. Br. 24/8/45. (13) Above put up. ... 24/8
	(14) ... Rule regarding T.A in vivva ... page 165 of the Criminal Rules of Practice wherein the rates of TA and

NOTE—Contn. Sheet.

5~

Payment of TA ... DA

1999.

to Patels and Shanbogs in Food case

File No. of 194 . General and Revenue Secretariat

Serial No.

D.A. Payable to Patels and Shanbogs who appear as Witnesses in Criminal Courts is specified.

Lr. 28/8/98 to Rev. Revn Branch)

in NS

It is seen from the Criminal Rules of practice and Circular orders (Page 165 - Book placed below) that Patels and Shanbhogs appearing as witnesses in the Criminal Courts in the State to depose to facts coming to their knowledge in the course of their official duties are given D.A. and Batta at the following rates: -

By rail . . Single III class fare

" road . . Actual Bus fare or 2annas per mile where there is no bus service

Batta . . 8 annas per diem.

The Rule further states that payments to village officers shall be treated as falling under "Batta to prosecutors and witnesses" and paid on the day of their attendance in Court from the imprest amount of the Court concerned (Receipts).

In this connection this office is invited to Rules article 554 - 556 of the M.S.R. As per article 554 of the M.S.R. An officer summoned to give evidence of facts which have come to his knowledge

x. 1 Book - placed below.

Payment of T.A. and D.A. to Patels and Shanbhogs for attending Courts

or of matters with which he has had to deal, in his public capacity either —

(1) in a criminal case

(2) in a Civil case to which Govt is a party or

(3) on a departmental enquiry held by a properly constituted authority,

may draw T.A. under the rules for journeys on tour :-

(18) Provided that he must obtain from the Court any T.A. or Subsistence allowance to which he is entitled by the rules of the Court, and must deduct the amount from the T.A. claimed under this Sec.

(19) Article 555(a) States that an officer summoned to give evidence under other circumstances is not entitled, by reason of his being an officer of Govt, to any allowances other than those admissible by the rules of the Court (b) But if the Court pays him any sum by way of Subsistence allowance or compensation, apart from any allowance for travelling expenses, ~~apart from any allowance for travelling expenses~~, he must repay that amount to Govt, before drawing full pay for the day or days of absence.

(20) Article 556 lays down that when an officer claims T.A. under art. 554, he shall in all cases annex to his bill a certificate from the Court of Justice as to the number of days he attended it and the date on which he was permitted to depart therefrom.

(21) Note :- In every case where the attendance of a public Servant summoned as a witness in a

2987/48

For grant of T. A rate of A to patels and shanbhogs in a Sessions Case is reasonable, and his conduct in the case is not condemned, the Court shall give such public servant a certificate to that effect, in order to establish his right to pay and T. A and batta and the rates admissible under these Regulations.

Subd for orders with refce to paras 11-14 of the rules.

NSr
29/8/45

The proposal of the Director of Food Supplies is that if the Village officers have to travel outside the Taluka Headquarters & Taluk Committees in connection with Food Supply operations, they may be given T.A. Similar provision has also to be made for their journeys in connection with the D.C.'s tours, if the proposal should be adopted. The rates of T.A. may be on the same scale as that laid down in para 165 of the Criminal Rules of Practice

1768

29/8

(23) For favour of remarks on the proposal of the Dir F.S.

Law Sec'y
W/C

10/9/45

RV
3
18/9

1997, 25 Pv 8

Payment of T.A. and D.A. to Pleaders and Shanbhogs for attending Courts:

24) Subs. The Proposal may perhaps be approved. Subs. Jnr orders.

Par 26/9. 25) Provision has already been made for the payment of T.A. + Batta to Pleaders + Shanbhogs attending Criminal Courts as witnesses to depose to facts coming to their knowledge in the Course of their official duties. A similar rule has already been drawn up for Rule 165 of the Criminal Rules of Practice. The proposal of the D.P.S. does not involve anything new - if any Shanbhog or Pleader appeared as a witness in any Court other than any Criminal Court of Law to depose to facts coming to his knowledge in the course of his official duty, under to pass his T.A. + also D.A. as per Rule 7(6) as per 165 of the Criminal Rules of Practice. If the Rule is already there, nothing further has to be done in the matter.

1310

Dy Secretary 3/11/1945

(26) RV 12/10

Chief Secy U/C.

(27) Jr perusal.

3231

Dy Secy N/C

WP 25/10/45

(28) [illegible] (29) The position

Payment of J.B. and D.A. Ks Patels ... Travelling
for attending Courts
may be permitted to the Dir T.S. and the
papers filed in the Ter (Food Supplies) Sect -
if there is no objection.

Ter Sec"
N'C

31/10/45

30) Ce -
2/x1
One
21

283/se

31) To the Prosecution Branch for
kindly putting up a copy of the
criminal rules of practice
referred to in para 25 above

kg
2/x1 32) If there is only one reference
copy in the Branch. So it may
kindly be obtained from
the records

Pkn
14/11

14/11

To the Superintendent
General Records, for
Compliance. (Vide paras 31+32)

kg
14.xi A Copy of the Criminal Rules
of Practice, Vol I is put up.
2. As this is the only copy
available in the Records it
may be returned after reference
very soon.

Pkn
16-11-45

Supply Sectn)

P.T.O.

22/11.

Re: payment of T.A and D.A. to Patels and Shanbhogues for attending courts

General and Revenue Secretariat | File No. A281 of 1944. | [App. F. III-2

Serial No.

Draft letter to DRS is submd

S/Secy (M. returns his Cr. Rules of Practice from Records)

22/11.
Dte/11

29/11

General Records for kindly taking the Copy of the criminal Rules of practice and Circular orders Vol I and returning the file.

30/11. General Records.

The book is received and the file returned as desired

Bz 30-11-45. Suppliy Section).

To. The A-J-S.

SD. 3384/A281-44-4 & 29.11.45

Invites his reference to rule 7(b) in page 165 of the Criminal Rules of practice and circular orders under which Patels and Shanbhogues attending Criminal Courts are given certain rates of T.A and D.A.

Bz 30/11.

Dte 14/12

NOTE—Contn. Sheet.

Appendix F. G.—1]

SUBJECT.....

.....

.....

Section A

File No. 281-44

Serial No. 2

Diary No. of letter replied to.....

No. FD 8204 ant

General and Revenue Secretariat

( )

To. The D. F. S.

the 25/6/1945.

I am directed to forward for favour of your remarks herewith a copy of the resolution passed at the meeting of the Shanbhogues held on 12-5-45 at Davanagere requesting ~~regarding~~ the payment of T.A and D.A to Patels and Shanbhogues who attend Courts in connection with food cases

Date of issue 25. 6. 45

Signed by H. J. Ramina Naiger

List of enclosures.....

Copied by.....

25/6.

for Secy to Govt
Revenue (FS)

Examined by.....

C.F. No. 46] GOVERNMENT OF MYSORE A 281-44-

No. C1-5824/44-45 OFFICE OF
Encls.

Dated 12th July 1945.

To

The Secretary to Government,
Development Department (Food Supplies),
Bangalore.

Sir,

Grant of T.A. and D.A. to patels and shanbhogs attending courts in connection with food cases.

With reference to your letter No.SD.8204/A.281-44-7 dated 25-6-45 on the above subject, I have the honor to state that when the patels and shanbhogs appear in cases on behalf of Government, they may be paid T.A. and D.A. at the rates fixed by the court and sanctioned by Government, if they have to travel outside their taluks.

I have the honor to be,
Sir,
Your most obedient servant,

Director of Food Supplies.

SS/-.

No. D.A. 3384

Subject:- Re: Payment of T.A. and D.A. to Patels and Shanbhogues for attending Courts in connection with Food Cases. 29.11.45

/A281-44-4

To The D.S.

With reference to your letter No C1-5824/44-45 dated the 12th July 1945 on the above subject I am directed to invite your reference to point out that Patels and Shanbhogues attending criminal courts as witnesses to depose to facts coming in the course to their knowledge of their official capacity duties are given the marginally noted* rates of T.A and D.A as per rule 7(v)* on page 165 of the Criminal Rules of practice and circular orders and the question which Patels & Shanbhogs have views in the matter of attending Criminal Courts as witnesses payment of the same rate to depose to facts coming to their knowledge of T.A & D.A whenever they in the course of their official duties attend Criminal Courts are given the marginally noted rates of T.A. and D.A.

29/11/45

*By rail - Single 3rd class fare
By road - Actual bus fare or 2 annas per mile where there is no bus service
Batta - 8 annas per diem.

*. Flag A.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

WD 03697—GPB—30,000—2-2-40

~~on behalf of Govt~~
as witnesses ~~in connection with~~

~~food cards~~.

I have etc

Secy to Govt

Dep. Dept to

4/22/41